

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

HOWARD DEAN, individually and on behalf
of similarly situated persons,

Plaintiff,

v.

MHV PIZZA, L.L.C. and MARIO VARELA,

Defendants.

**Civil Action No: 4:21-cv-00082-NBB-
DAS**

Jury Demanded

**ORDER GRANTING PARTIES' JOINT MOTION
FOR PRELIMINARY APPROVAL OF SETTLEMENT AGREEMENT**

This matter is before the Court on the Parties' Joint Motion for Preliminary Approval of Settlement Agreement and Memorandum in Support (the "Motion"). Having carefully considered the Motion, the undersigned will **GRANT** the Motion.

IT IS THEREFORE ORDERED that the Motion is **GRANTED** and the Court hereby:

- (1) grants Plaintiff leave to file an Amended Complaint;
- (2) certifies a FLSA collective action pursuant to Section 216, for settlement purposes;
- (3) certifies a class action pursuant to Rule 23, for settlement purposes;
- (4) appoints Plaintiff Howard Dean as Class Representative and appoints Forester Haynie PLLC and Donati Law, PLLC as Class Counsel;
- (5) preliminarily finds that the Parties' settlement appears to be fair, reasonable, and adequate as to the members of the class, subject to any objections that may be raised at the final fairness hearing and final approval of class settlement by this Court;
- (6) grants preliminary approval of the settlement;

(7) approves as to form and content the Parties' proposed Class Notice and Claim Form as reasonable notice practicable under the circumstances and in full compliance with applicable law;

(8) orders that each Settlement Class Member be given a full opportunity to file a claim, object to, or opt-out of the Settlement, and to participate at the final approval hearing; and

(9) will schedule a final approval hearing at least 100 days following this Order.

SO ORDERED this 10th day of June, 2022.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.

UNITED STATES DISTRICT JUDGE